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ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/18/2016

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Via ECF

April 14, 2016

The Honorable Paul A. Engelmayer
United States District Court Judge
United States District Court
Southern District of New York
New York, New York 10007

**Re: *Securities and Exchange Commission v. Kapur et. al*, Docket No. 11-CV-9094 (PAE),
and *Schwarz et al v. Thinkstrategy Capital Management LLC et al*, Docket No. 09-CV-9346
(PAE)**

Dear Judge Engelmayer:

I am writing to apologize to the Court and to the parties for my inability to dial into the April 12 conference. I understand that the Court waited for my call, which delayed the proceedings, and I apologize to everyone for the inconvenience. Unfortunately, I was driving to Hartford, Connecticut for an oral argument on an appeal and discovered that my phone had lost its charge. My car's charging mechanism was not working properly and I was under pressure to make it on time to the court of appeals for the argument.

Again, I sincerely apologize for any

I thank the Court for its consideration and understanding.

Respectfully submitted,

/s/ Eric M. Creizman

Eric Creizman (EC-7684)

cc: Michael Roessner, Esq. and Jason Solotaroff, Esq. (by ECF)

The Court appreciates Mr. Creizman's apology.

SO ORDERED:

4/18/16

Paul A. Engelmayer

HON. PAUL A. ENGELMAYER
UNITED STATES DISTRICT JUDGE